

REMARKS

This Amendment responds to the Office Action dated March 4, 2010 in which the Examiner rejected claims 8-13 under 35 U.S.C. § 103.

As indicated above, claims 8 and 11-13 have been amended in order to make explicit what is implicit in the claims. The amendment is unrelated to a statutory requirement for patentability.

Claim 8 claims a photography apparatus, claim 11 claims a method, claim 12 claims a program record medium on which a program is recorded and claim 13 claims a program causing a computer to perform an information process. The apparatus, method, medium and program read an index management file from a disc-shaped record medium and store the index management file to a memory of the photography apparatus when the disc-shaped record medium is loaded into the photography apparatus. Thereafter, when a clip recorded on the disc-shaped record medium is designated to be reproduced by a reproduction command of the photography apparatus, the corresponding clip management file for the designated clip is read from the disc-shaped record medium and stored to the memory.

By (a) reading and storing an index management file when a disc-shaped record medium is loaded into a photography apparatus and (b) thereafter reading and storing a clip management file when a clip recorded on the disc-shaped record medium is designated to be reproduced by a reproduction command of the photography apparatus, as claimed in claims 8 and 11-13, the claimed invention provides an apparatus, method, medium and program in which information necessary for reproducing data from a disc can be obtained quickly and without a time lag. The prior art does not show, teach or suggest the invention as claimed in claims 8 and 11-13.

Claims 8-13 were rejected under 35 U.S.C. § 103 as being unpatentable over *David, et al.* (U.S. Publication No. 2002/0131764) in view of *Takagi, et al.* (U.S. Publication No. 2003/0085997) and *Um, et al.* (U.S. Publication No. 2003/0138236).

David, et al. appears to disclose a control processor may be arranged in operation to change the header information between successive packets recorded repeatedly onto a linear recording medium which have different metadata objects [0057]. Changing the header information between successive packets which have different metadata objects provides a simple and convenient way of recognizing when metadata packets which are repeatedly recorded change from one group to another. By detecting the change in the header information, a reproduction apparatus may determine whether the metadata packets recovered from the recording medium contain more than one metadata packet which is the same. The reproduction apparatus may therefore discard redundant metadata packets which are those which are recovered after a first metadata packet of any one type has been recovered [0058, Fig. 40].

Thus, *David, et al.* merely discloses changing header information between successive recorded packets and discarding redundant metadata packets (see Fig. 40). Nothing in *David, et al.* shows, teaches or suggests (a) when a disc-shaped recording medium is loaded into a photography apparatus, the index management file is read from the disc-shaped record medium and stored to a memory of the photography apparatus and (b) thereafter when a clip recorded on the disc-shaped recorded medium is designated to be reproduced by a reproduction command of the photography apparatus, the corresponding clip management file for the designated clip is read from the disc-shaped record medium and stored to the memory as claimed in claims 8 and 11-13. Rather, *David, et al.* merely discloses changing head information between successive packets and discarding redundant metadata packets during reproduction.

Additionally, *David, et al.* appears to disclose a signal processing system comprising a recorder 500, 204 for recording information signals representing video, audio and/or data material on a tape 502, 126 (abstract, lines 1-3, emphasis added).

Thus, *David, et al.* merely discloses a recording tape 502, 126. Nothing in *David, et al.* shows, teaches or suggests a photography apparatus recording to disc-shaped record medium as claimed in claims 8 and 11-13. Rather, *David, et al.* merely discloses recording information signals onto a tape.

Takagi, et al. appears to disclose a distribution program editing system 10 which registers metadata, input at a planning processing and at a casting processing, into a database managed in a concentrated fashion by an archival manager 40A of an archived system 40 (abstract).

Thus, *Takagi, et al.* merely discloses registering metadata into an archival system. Nothing in *Takagi, et al.* shows, teaches or suggests (a) when a disc-shaped record medium is loaded into a photography apparatus, an index management file is read from the disc-shaped record medium and stored to a memory of the photography apparatus and (b) thereafter when a clip recorded on the disc-shaped record medium is designated to be reproduced by a reproduction command of the photography apparatus, a corresponding clip management file for the designated clip is read from the disc-shaped record medium and stored to the memory as claimed in claims 8 and 11-13. Rather, *Takagi, et al.* only discloses registering metadata into an archival system.

Um, et al. appears to disclose a digital video recorder (DVR) directory containing directories "PLAYLIST", "CLIPINF", "STREAM" and "STILLINF" [0010].

Thus, *Um, et al.* only discloses a directory and subdirectories therein. Nothing in *Um, et al.* shows, teaches or suggests (a) when a disc-shaped record medium is loaded into a photography apparatus, an index management file is read from the disc-shaped record medium

and stored to a memory of the photography apparatus and (b) thereafter when a clip recorded on the disc-shaped record medium is designated to be reproduced by a reproduction command of the photography apparatus, the corresponding clip management file for the designated clip is read from the disc-shape record medium and stored to the memory as claimed in claims 8 and 11-13. Rather, *Um, et al.* only discloses a directory containing subdirectories.

A combination of *David, et al.*, *Takagi, et al.* and *Um, et al.* would merely suggest discarding redundant metadata packets during reproduction as taught by *David, et al.*, to register metadata into an arehival system as taught by *Takagi, et al.* and to have a DVR directory with subdirectories as taught by *Um, et al.* Nothing in the combination of the references shows, teaches or suggests (a) when the disc-shaped record medium is loaded into a photography apparatus, the index management file is read from the disc-shaped record medium and stored to a memory of the photography apparatus and (b) thereafter when a clip recorded on the disc-shaped record medium is designated to be reproduced by a reproduction command of the photography apparatus, the corresponding clip management file for the designated clip is read from the disc-shaped record medium and stored to the memory as claimed in claims 8 and 11-13. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 8 and 11-13 under 35 U.S.C. § 103.

Claims 9-10 depend from claim 8 and recite additional features. Applicants respectfully submit that claims 9-10 would not have been obvious within the meaning of 35 U.S.C. § 103 over *David, et al.*, *Takagi, et al.* and *Um, et al.* at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 9-10 under 35 U.S.C. § 103.

Thus, it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested. Should the Examiner find that the application is not now in condition for allowance, Applicants respectfully request the Examiner enter this Amendment for purposes of appeal.

CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

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Date: May 19, 2010

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